UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,366	06/20/2001	Jeffrey E. Stall	MSFT116665	4181

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EXAMINER
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ART UNIT	PAPER NUMBER
2126	

DATE MAILED: 09/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/885,366	STALL, JEFFREY E.
	Examiner	Art Unit	
	Li B. Zhen	2126	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 June 2004</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-18</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-18</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1 – 18 are pending in the current application.

Claim Objections

2.   Examiner was unable to determine if claims 15 – 18 are independent claims or dependent claims that depend from claims 1 and 10. If claims 15 – 18 are intended to be independent claims, rewrite the claims in independent form including all the steps recited in claims 1 and 10 respectively.

3.   If claims 15 – 18 are dependent claims, then claims 15 – 18 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claims 15 – 18 do not further limit the method claimed in claims 1 and 10.

Applicant is also reminded to pay any necessary fees for the additional independent claim. In this case, if claims 15 – 18 are intended to be independent claims, please pay the necessary fees for the 28 additional independent claims.

Claim Rejections - 35 USC § 101

4.   Claims 1 – 14 are rejected under 35 U.S.C. 101 because they are directed to non-statutory subject matter.

5.   Claims 1 – 14 are directed to method steps, which can be practiced mentally in

conjunction with pen and paper, therefore they are directed to non-statutory subject

matter. Specifically, as claimed, it is uncertain what performs each of the claimed

method steps. Moreover, each of the claimed steps, inter alia, providing, intercepting,

determining, forwarding, routing and processing, can be practiced mentally in

conjunctions with pen and paper. The claimed steps do not define a machine or

computer implemented process [see MPEP 2106]. Therefore, the claimed invention is

directed to non-statutory subject matter. (The examiner suggests applicant to change

"method" to "computer implemented method" in the preamble to overcome the

outstanding 35 U.S.C. 101 rejection).

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7.   **Claims 1, 2, 15 and 16 are rejected under 35 U.S.C. 102(e) as being**

anticipated by U.S. Patent NO. 6,611,878 to De Armas et al. [hereinafter De

Armas].

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8.   As to claim 1, De Armas teaches a method for hosting a windows-based legacy

user interface object originally intended for use in a legacy window manager in a new

window manager [integrating new or modified user interface features or modified

functionality, to an existing target application program; see abstract], comprising:

providing a software bridge [TIS 106 is comprised of the combination of injection

DLL 134 and TIS program 142; col. 6, lines 39 – 49] between the legacy window

manager [target window procedure 116, Fig. 3; col. 6, lines 25 – 50; col. 4, lines 1 – 38]

and the windows-based legacy user interface object [modifying the user interface or

functionality of a target application program in a separate process address space

environment; col. 5, line 65 – col. 6, line 3];

intercepting a message at the software bridge intended for the legacy user

interface object [technology injection system (TIS) 106, intercepts all messages (queued

and non-queued) from the operating system 102, to the target application program 100;

col. 5, lines 25 – 49];

determining whether the message should be forwarded to the new window

manager [surrogate window procedure evaluates each message to determine what

action should be performed; col. 10, lines 18 – 51]; and

in response to determining that the message should be forwarded, forwarding the

message to the windows-based legacy window manager [if the intercepted message

does concern new functionality or user interface features to be provided by the TIS

system, then any necessary pre-processing will be performed either in surrogate

window procedure 124 or the emulation window procedure 156; col. 10, lines 45 – 52].

9.   As to claim 2, De Armas teaches in response to determining that the message

should not be forwarded, forwarding the message to a procedure originally intended to

handle the message [messages which do not concern any new functionality or the

display of the window elements comprising the target application GUI user interface, are

generally passed on to the target window procedure 116 by means of a

"CallWindowProc( )" API in block 162; col. 10, lines 35 – 45].

10.   As to claims 15 and 16, these are rejected for the same reasons as claim 1

above.

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

12.   **Claims 3 – 14, 17 and 18 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over De Armas in view of U.S. Patent NO. 6,675,230 to Lewallen.

13.   As to claim 3, De Armas does not specifically teach forwarding a message to a

root user interface object hosted in a window tree maintained by the new window

manager.

However, Lewallen teaches a bridge to handle a created user interface embedded element [col. 15, line 30 – col. 16, line 7] and forwarding a message to a root user interface object hosted in a window tree maintained by a new window manager [initial reference to the root of the user interface (UI) document object and corresponding Java document object are obtained and made available by the bridge 200 for later use in the mixed statement program when referencing nodes in the HTML document object; col. 13, lines 30 – 37].

14.   It would have been obvious to a person of ordinarily skilled in the art at the time of the invention to apply the teaching of forwarding a message to a root user interface object hosted in a window tree maintained by the new window manager as taught by Lewallen to the invention of De Armas because once the user interface document object is manipulated by the APIs from the different user interface programs, then the layout engines for the different user interface programs would update the display based on changes to the nodes implementing the corresponding user interface program [col. 15, lines 47 – 60 of Lewallen].

15.   As to claim 4, De Armas as modified teaches routing the message down the window tree maintained by the new window manager to an adapter control associated with the windows-based legacy user interface object [user interface 220 would further maintain a user interface (UI) document 226, which in preferred embodiments is implemented as a DOM document tree including nodes for the base user interface

program providing the main window in which the user interface is implemented, such as

a browser program; col. 11, line 65 – col. 12, line 20 of Lewallen].

16.   As to claim 5, De Armas as modified teaches processing the message at the

adapter control [a stub factory class 208a, b that provides methods to handle W3C API

calls to objects intended for the user interface program; col. 11, lines 30 – 50 of

Lewallen].

17.   As to claim 6, De Armas as modified teaches forwarding the message to the

procedure originally intended to handle the message from the adapter control [col. 10,

lines 35 – 45 of De Armas].

18.   As to claim 7, De Armas as modified teaches routing the message from the

adapter control to a listener object attached to the adapter control [mixed statement

program could include event listeners to modify the HTML page upon the occurrence of

certain events such as user input; col. 10, lines 43 – 65 of Lewallen].

19.   As to claim 8, De Armas as modified teaches determining whether the message

has been completely handled [a decision is made in block 160 as to whether it is

necessary for the target window procedure 116 to perform any processing in block 162;

col. 10, lines 52 – 67 of De Armas]; and in response to determining that the message

has not been completely handled, routing the message from the adapter control up the

window tree maintained by the new window manager so that parent objects of the

adapter control may process the message [If so, the surrogate window procedure 124

calls the target window procedure 116 by means of a CallWindowProc( ) API; col. 10,

line 52 – col. 11, line 10 of De Armas].

20.   As to claim 9, De Armas as modified teaches in response to determining that the

message has been completely handled, returning control to a procedure associated with

the windows-based legacy user interface object [Upon completion of any necessary

processing by the target window procedure, control is returned to the surrogate window

procedure; col. 10, line 52 – col. 11, line 10 of De Armas].

21.   As to claim 10, this is a combination of method claims 1 and 3 – 5; see the

rejections to claims 1 and 3 – 5 above, which also meet this claim.

22.   As to claims 11 – 14, these are rejected for the same reasons as claims 6 – 9

above.

23.   As to claims 17 and 18, these are rejected for the same reasons as claim 1

above.

Conclusion

24.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent NO. 6,675,371 to York et al. teaches a system for adding functionality to a graphical user interface of a non-Java based, or native, application, using the Java programming language.

25.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Li B. Zhen
Examiner
Art Unit 2126

lbz
September 17, 2004

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